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#3 \$
PATENT

Attorney Docket No.: A-67209-5/RMS/DCF

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:) Examiner: Not Assigned
WALT, et al.) Group Art Unit: 2874
Serial No. 09/840,012)
Filed: April 20, 2001)
For: FIBER OPTIC SENSOR WITH
ENCODED MICROSPHERES)

)

CERTIFICATE OF MAILING

I hereby certify that this correspondence, including listed enclosures, is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Box Missing Parts, Assistant Commissioner for Patents, Washington, DC 20231 on
29/10/02

Signed: Fern S. Marder
Fern S. Marder

**RESPONSE TO NOTICE TO FILE MISSING PARTS
OF NONPROVISIONAL APPLICATION**

Box Missing Parts
Assistant Commissioner for Patents
Washington, DC 20231

Sir:

This is in response to the Notice to File Missing Parts of Nonprovisional Application mailed August 9, 2001.

Applicant claims small entity status in accordance with 37 CFR 1.27.

Enclosed are the following documents:

- (1) Copy of Notice to File Missing Parts of Nonprovisional Application;

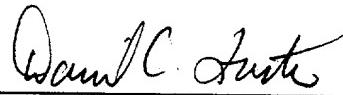
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- (2) Abstract;
 - (3) Check for \$576.00 to cover the filing fee (\$370.00), 11 total claims over 20 (\$99.00), 1 independent claim over 3 (\$42.00), and the missing parts surcharge (\$65.00) for a small entity (all at post-October 1, 2001 rates);
 - (4) Petition for Extension of Time (four months);
 - (5) Check in the amount of \$720.00 to cover a four-month extension for a small entity;
 - (6) Return receipt postcard.

The Commissioner is authorized to charge any fees, including extension fees, which may be required, or credit any overpayment to Deposit Account No. 06-1300 (Our Order No. A-67209-5/RMS/DCF).

It is believed that submission of the above serves to satisfy all of the requirements of the outstanding Notice of Missing Parts.

Respectfully submitted,

FLEHR HOHBACH TEST
ALBRITTON & HERBERT LLP



David C. Foster, Reg. No. 44,685
Patent Agent for
Robin M. Silva, Reg. No. 38,304

Date: February 8, 2002
Four Embarcadero Center
Suite 3400
San Francisco, CA 94111-4187
Telephone: (415) 781-1989
1074684



FEB 22 2002

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COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/840,012	04/20/2001	David R. Walt	A-67209-5/RMS/DCF

CONFIRMATION NO. 5049

FORMALITIES LETTER



OC00000006403659

Robin M. Silva, Esq.
FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP
Suite 3400
Four Embarcadero Center
San Francisco, CA 94111-4187

Date Mailed: 08/09/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 355 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$139.
 - \$99 for 11 total claims over 20.
 - \$40 for 1 independent claims over 3 .
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 559.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- An abstract was not provided for this application. An abstract of the technical disclosure is required under 37 CFR 1.72(b).

02/28/2002 NM0HMM1 00000091 09840012

02 FC:201	370.00 DP
03 FC:203	99.00 DP
04 FC:202	42.00 DP
05 FC:205	55.00 DP

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

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